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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 PETER T. HARRELL,

11 Plaintiff,

No. CIV S-05-0420 GEB CMK

12 vs.

13 DARRELL LEMOS, et al.,

14 Defendants.

15 _____ / ORDER

16 Defendants' Motion for to Dismiss, scheduled for hearing on January 16, 2007, is
17 submitted without oral argument pursuant to Local Rule 78-230(h). The hearing date of January
18 16, 2007 is vacated. If the court determines that oral argument is needed, it will be scheduled at a
19 later date.

20 IT IS SO ORDERED.

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22 DATED: November 28, 2006.

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25 CRAIG M. KELLISON
26 UNITED STATES MAGISTRATE JUDGE